

1:20 MJ 9127

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, DEA Special Agent Joseph Zevchek, hereby submit this affidavit in support of a criminal complaint against Jeffrey E. Efford ("EFFORD") for the following federal crimes that EFFORD committed on or about May 5, 2020, in the Northern District of Ohio:

- A. Possession of 40 grams or more of a mixture or substance containing a detectable amount of Fentanyl<sup>1</sup>, a schedule II controlled substance, with intent to distribute, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B);
- B. Possession of a firearm in furtherance of a drug trafficking crime, in violation of Title 18, United States Code, Section 924(c)(1)(A); and
- C. Felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g)(1).

Your Affiant, Joseph J. Zevchek, being duly sworn, deposes and states:

- 1. Your Affiant, Joseph J. Zevchek is an officer or employee of the United States Department of Justice (DOJ), Drug Enforcement Administration (DEA) within

the meaning of Section 878(a) of Title 21, United States Code, that is an officer who is empowered by law to conduct investigations, make arrests, and seize property for violations of Title 18, United States Code and Title 21, United States Code.

2. Your Affiant is a Special Agent for the United States Department of Justice, Drug Enforcement Administration (DEA), and has been so employed since October 2015. During your Affiant's employment with the DEA, your Affiant has been assigned to the Cleveland District Office (CDO) in Cleveland, Ohio since August 2018, and prior to that the Cincinnati, Ohio Resident Office.

#### **TRAINING AND EXPERIENCE**

3. Your Affiant has been involved in the investigation of various individuals and organizations involved in the manufacturing, distribution, and use of controlled substances. Your Affiant has conducted surveillance operations and has become familiar with the methods used by individuals engaged in the manufacturing, trafficking, and use of controlled substances. Your Affiant received specialized training at the DEA training facility located at the FBI Academy in Quantico, Virginia in regards to the identification of

narcotic substances and the operation of drug trafficking organizations (DTO). Your Affiant is currently assigned to the DEA Cleveland District Office Heroin Enforcement Group. Affiant has conducted and/or participated in numerous drug investigations and operations which resulted in the arrest(s) and conviction(s) of numerous drug traffickers in both state and federal prosecutions and the seizure of significant quantities of drugs and drug related proceeds.

**PROBABLE CAUSE**

4. In May 2020, your Affiant received information about an individual named James EFFORD, who was arrested by the Cleveland Division of Police (CDP) on May 5, 2020. The information in this affidavit was related to me by CDP Detective James Allender and your Affiant has personally reviewed the relevant lab reports and CPD incident reports which are alleged herein. All narcotic results and weights given in this affidavit were obtained by results obtained by the Cuyahoga County Regional Forensic Scientific Laboratory. Unless otherwise noted, wherever in this Affidavit I assert that a statement was made, the information was provided by my personal observation, by another

special agent, law enforcement officer or witness who had either direct or hearsay knowledge of that statement and to whom I or others have spoken or whose reports I have read and reviewed. Affiant has not included each and every fact known to him concerning this investigation. Rather, Affiant has set forth only the facts Affiant believes are necessary to establish probable cause.

5. On May 5, 2020 CDP officers with the Neighborhood Impact Community Engagement (N.I.C.E.) Unit were conducting surveillance in the area of West 130<sup>th</sup> Streets and Bellaire Road. Officer's noted a 2020 GMC Yukon bearing New York license plate JLD8685 parked on St. James Avenue near West 134<sup>th</sup> Street. This vehicle had been observed in the neighborhood the night prior circling the area regularly. Based on my training and experience, I know that such actions are common to drug traffickers as a method to conduct counter surveillance. At approximately 10:25 p.m., the Yukon was observed traveling south on West 134<sup>th</sup> Street, then east on Terminal Avenue, followed by a gold Saturn Aura bearing Ohio license plate HGF9054. It was clear to officers that the Yukon and Aura were travelling in tandem as they drove to West 130<sup>th</sup>, turned north

towards Interstate 71 (I71) and entered the northbound lanes. As the vehicles exited I71 at Fulton Avenue, officers decided to initiate traffic stops on them. Traffic stops were initiated on the Yukon for failure to signal while changing lanes, and attempted to make a traffic stop on the Aura due to an illegal window tint.

6. Officers attempted to make the traffic stop of the Aura at Denison and Fulton Avenues in Cleveland, Ohio. The vehicle did not stop and an individual later identified as EFFORD exited the vehicle through the back driver's side window as it was still moving. EFFORD could be observed holding a semiautomatic firearm as he began running from the area. CDP officers engaged in a foot pursuit. EFFORD ran along the fence of the Cleveland Metroparks Zoo as he fled from police. After EFFORD ran behind a large tree and reemerged, he was observed to no longer be carrying the gun. As the chase continued, officers observed a plastic bag fall from EFFORD's person. As officers caught up with EFFORD at 4152 Fulton Parkway, EFFORD slid on his stomach and extended his right hand under a parked vehicle. At this time EFFORD was placed into custody.

7. Officers gained access to the zoo and discovered a black 9 MM Smith & Wesson M&P Shield (Serial Number HBD9232) near the area where officers last saw EFFORD with a firearm. The firearm was loaded with a magazine containing 8 rounds of ammunition, although not loaded into the chamber. A check of law enforcement database revealed that this weapon was reported stolen in October 2018.
8. The recovered Smith & Wesson firearm is likely manufactured outside the State of Ohio, since no Smith & Wesson firearms are manufactured within the State of Ohio.
9. On EFFORD's person, officers located a bag that later was tested by the "Cuyahoga County Regional Forensic Science Laboratory" ("CCRFSL" hereafter) as: 2.13 grams of cocaine base (Schedule II). Officer's further found on EFFORD \$215 of U.S. currency. Under the vehicle that officers observed EFFORD reach under just prior to his arrest, officers located two plastic bags, which in turn each contained two plastic bags. These bags contained the following, as tested by CCRFSL:
  - A. .95 grams of a mixture of fentanyl (Schedule II), 4-ANPP (Schedule II) and cocaine (Schedule II);

- B. 4.95 grams of a mixture of fentanyl (Schedule II) and 4-ANPP (Schedule II);
  - C. .43 grams of a mixture of fentanyl (Schedule II) and cocaine (Schedule II); and
  - D. 14.99 grams of a mixture of fentanyl (Schedule II), acetylfentanyl (Schedule I), 4-ANPP (Schedule II), and cocaine (Schedule II).
10. Officer's also located the bag that they had observed falling from EFFORD's person, which held multiple other plastic bags which contained the following, as tested by CCRFSL:
- A. .66 grams of a mixture of fentanyl (Schedule II), 4-ANPP (Schedule II) and cocaine (Schedule II);
  - B. 12.46 grams of cocaine (Schedule II);
  - C. .77 grams of cocaine (Schedule II);
  - D. 16.43 grams of fentanyl (Schedule II) and 4-ANPP (Schedule II), and;
  - E. 40.05 grams of a mixture of fentanyl (Schedule II), 4-ANPP (Schedule II) and cocaine (Schedule II).
11. Inside the Saturn (which had stopped shortly after EFFORD exited it), officers located a black Gucci bag in the passenger seat that had \$7,846.18 and five touch screen phones on the passenger side floorboard.

Based on my training and experience, I know that drug traffickers commonly carry multiple cell phones and large amounts of U.S. currency.

12. EFFORD is prohibited from possessing a firearm under federal law, and knew of his status as a convicted felon, due to a prior conviction(s) for:

A. Attempted Felonious Assault (F3), in case number CR-16-603397, on or about May 4, 2017, in the Court of Common Pleas, Cuyahoga County;

B. Grand Theft of Motor Vehicle (Felony 4) in case number CR-16-606633 on or about May 4, 2017, in the Court of Common Pleas, Cuyahoga County; and

C. Having Weapons While Under Disability (Felony 3), in case number CR-16-606072, on or about May 4, 2017, in the Court of Common Pleas, Cuyahoga County.

#### **CONCLUSION**

Based upon the above listed facts and circumstances, Your Affiant has probable cause to believe, and does believe that on or about May 5, 2020, in the Northern District of Ohio EFFORD committed the following federal crimes:

A. Possession of 40 grams or more of a mixture or substance containing a detectable amount of Fentanyl,



- a schedule II controlled substance, with intent to distribute, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B);
- B. Possession of a firearm in furtherance of a drug trafficking crime, in violation of Title 18, United States Code, Section 924(c)(1)(A); and
- C. Felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g)(1).

Your Affiant requests that an Arrest Warrant be issued for James EFFORD.



Joseph J. Zevchek  
Special Agent  
Drug Enforcement Administration

SUBSCRIBED AND SWORN TO ME THIS 18TH DAY OF MAY, 2020  
VIA TELEPHONE AFTER SUBMISSION BY RELIABLE ELECTRONIC  
MEANS. FED. R. CRIM. P. 4.1 and 41(d)(3).



William H. Baughman, Jr.  
United States Magistrate Judge  
Northern District of Ohio